

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

MICHAEL BROWN, )  
                        )  
Plaintiff,           )  
                        )  
v.                     )              **Case No. 1:21-CV-66 PLC**  
                        )  
KILOLO KIJAKAZI,    )  
Acting Commissioner of Social Security, )  
                        )  
Defendant.           )

**MEMORANDUM AND ORDER**

This matter is before the Court on Plaintiff Michael Brown's application for attorney fees under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412. [ECF No. 25] Plaintiff requests an award of \$4,251.00, representing 19.5 hours of attorney work at a rate of \$218.00 per hour. Plaintiff attaches an Affidavit and Assignment of EAJA Fee, in which he assigned any court-awarded fee to his attorney, Parmele Law Firm, P.C. [ECF No. 25-3] Plaintiff also submits a bill of costs and requests reimbursement of the filing fee in the amount of \$402.00. [ECF No. 26]

Defendant filed a response to Plaintiff's application for attorney fees, in which she states: "Defendant has no objection to Plaintiff's request for attorney fees under the EAJA in the amount of **\$4,251.00.**" [ECF No. 27 (emphasis in original)] Defendant requests that the Court enter an order "specifically awarding attorney fees of **\$4,251.00** to be paid by the Social Security Administration, and costs of **\$402.00** to be paid from the Judgment Fund." [*Id.* (emphasis in original)] She notes, however, that any award of attorney fees is subject to offset to satisfy any preexisting debt Plaintiff owes to the United States. See Astrue v. Ratliff, 560 U.S. 586 (2010).

After careful consideration,

**IT IS HEREBY ORDERED** that Plaintiff's petition to award attorney fees [ECF No. 25] is **GRANTED**.

**IT IS FURTHER ORDERED** that Plaintiff is awarded EAJA attorney fees in the amount of \$4,251.00, subject to offset for any preexisting debt that the Plaintiff owes to the United States. After determining whether Plaintiff owes any debt to the United States that is subject to offset, Defendant is directed to pay the EAJA fees directly to Plaintiff's attorney.

**IT IS FINALLY ORDERED** that Plaintiff is awarded costs of \$402.00, to be paid from the Judgment Fund administered by the United States Treasury.



---

PATRICIA L. COHEN  
UNITED STATES MAGISTRATE JUDGE

Dated this 26th day of May, 2022